

REMARKS

Pursuant to 37 C.F.R. §1.111, reconsideration of the instant application, as amended herewith, is respectfully requested. Entry of the amendment is requested.

Claims 1 and 5-10 are presently pending before the Office. No claims have been canceled.

Relying on 35 U.S.C. §112, second paragraph, the Office has rejected the subject matter of claims 6, 8 and 9 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention, for the reasons stated on page 2 of the Office Action and as discussed below.

The Examiner states:

Claim 6 is rejected as being indefinite because of the phrase "comprising". It is not clear whether the claim is directed to a compound or a composition.

Claim 8 and 9 are rejected as being indefinite because they claim a molecular compound and describe a composition.

However, according to the Japanese dictionaries, the term "molecular compound" means a compound in which at least two molecules which are each stable are bonded to each other directly. A molecular compound may be decomposed to its component molecules relatively easily.

The present application discloses that “the molecular compound of the present invention is a compound where two or more component compounds which can each exist in a stable and independent manner are bonded through a comparatively weak interaction by other than covalent bonds as typified by a hydrogen bond and Van der Waals force, and includes hydrates, solvates, addition compounds, clathrate compounds and the like.” (Refer to page 4, lines 3 to 7).

Claim 6 claims a "molecular compound" comprising the sulfur-containing "compounds" Claims 8 and 9 claim a "molecular compound" comprising the sulfur-containing "compounds" and other "compounds".

Therefore, because the definition of "molecular compound" of the present application is the same as in the dictionary, the Applicant believes that it is not necessary to change the term "molecular compound".

The Applicant believes that Claims 6, 8, and 9 distinctly claim the subject matter which the Applicant regards as the invention.

In addition, the Applicant believes that Claim 6 which has all the features of Claim 1 should be allowable, because the Examiner has admitted the patentability of Claim 1.

Claim 7 is dependent on Claim 6; thus, Claim 7 should also be allowable.

Applicant therefore respectfully traverses the rejection and requests reconsideration.

For the above reasons, Applicant submits that claims 6, 8 and 9 do define the legal metes and bounds of the invention. It is not the role of the claims to enable one skilled in the art to reproduce the invention but rather to define, for those skilled in the art the legal metes and bounds of the invention.

It is respectfully submitted that claims 6, 8 and 9 fully comply with 35 U.S.C. §112, second paragraph. Withdrawal of the rejection is respectfully requested.

CONCLUSION

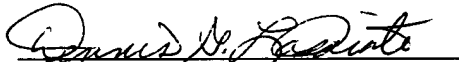
Applicant respectfully submits that claims 1 and 5-10 are patentable over the art of record.

A Notice of Allowance is earnestly solicited.

If the Office is not fully persuaded as to the merits of Applicant's position, or if an Examiner's Amendment would place the pending claims in condition for allowance, a telephone call to the undersigned at (727) 538-3800 would be appreciated.

Very respectfully,

Dated: 2/9/05


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